

### **REMARKS**

This is in response to the Office Action dated December 8, 2004, and the references cited therewith.

No claims are amended or canceled. Claims 21-29 are added; as a result, claims 1-29 are now pending in this application.

#### **§102 Rejection of the Claims**

Claim 1 was rejected under 35 USC § 102(b) as being anticipated by Breyen (U.S. Patent No. 6,042,624).

Applicant traverses since the cited reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference means for continually applying a compression force on the capacitor stack until each of the plurality of capacitor layers have been placed onto the capacitor stack, as recited in claim 1. In contrast, the Breyen reference discusses that spring loaded pins 209a – 209e are alignment pins that retract when top layer 208 is pressed downward. (Col. 24, lines 4-8). Accordingly, it appears that pins 209a – 209e do not provide any force on the capacitor stack since the alignment pins are located at the periphery of the capacitor stack. (See Col. 30, lines 8-18). Moreover, pins 209a -209e and top layer 208 do not apply a continually applied compression force on the capacitor stack. In contrast, the force of top layer 208 is only applied after the stack is formed. (See col. 24, lines 16-17). This is not continually applying a compression force on the capacitor stack until each of the plurality of capacitor layers have been placed onto the capacitor stack, as claimed. Reconsideration and allowance is respectfully requested.

Claims 1-4 were rejected under 35 USC § 102(b) as being anticipated by Hahne (WO 98/51602).

Applicant traverses since the cited reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference a fixture for holding a plurality of capacitor layers, or means for continually applying a compression force on the capacitor stack until each of the plurality of capacitor layers have been placed onto the capacitor

stack. In contrast, the cited reference discusses a device for blocking a stack of objects, such as newspapers or magazines. (Abstract of Hahne). Applicant cannot find any discussion of a fixture for holding a plurality of capacitor layers. Moreover, the cited reference does not indicate that the stack is continually in compression as it is being stacked. The abstract of the reference merely states that the device can press a stack. It appears the stack is formed and then placed into the device so it can be blocked.

Claims 2-4 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

§103 Rejection of the Claims

Claims 2-4 were rejected under 35 USC § 103(a) as being unpatentable over Breyen (U.S. Patent No. 6,042,624) as applied to claim 1 above, and further in view of Hahne (WO 98/51602).

Applicant believes claims 2-4 are not obvious in view of the cited references since, even if combined, the combination does not include each limitation recited in parent claim 1. As discussed above, Applicant cannot find in either of these references, either singly, or in combination, means for continually applying a compression force on the capacitor stack until each of the plurality of capacitor layers have been placed onto the capacitor stack, as recited in claim 1.

Moreover, there is no motivation or suggestion to combine these two references since they are from completely different fields. Breyen is directed to capacitors for implantable medical devices while Hahne discusses a device to block a stack of object such as newspapers and magazines. One skilled in the art would not look from one field to the other. Reconsideration and allowance is respectfully requested.

Claims 6, 7, 10-16, 18 and 20 were rejected under 35 USC § 103(a) as being unpatentable over Breyen (U.S. Patent No. 6,042,624) and Hahne (WO 98/51602) as applied to claims 2-4 above, and further in view of Farahmandi (U.S. Patent No. 6,233,135).

Claims 6, 7, and 10

Applicant traverses the rejection of claim 6 since, even if combined, the combination does not include each limitation recited in the claim. For instance, Applicant cannot find in the combination a placement member for placing each of a plurality of capacitor layers into the fixture, or an upper member adapted to move while the placement member holds down each capacitor layer as each capacitor layer is placed onto the stack such that the stack is continually in compression.

The Office Action states that Farahmandi discloses a placement member for placing capacitor layers into the fixture. Applicant traverses. In Figure 8c Farahmandi discusses a device to jet spray metal onto a carbon cloth (Col. 18, lines 34-35). This is not a placement member for placing capacitor layers into a fixture.

Moreover, Hahne does not appear to discuss an upper member adapted to move while the placement member holds down each capacitor layer as each capacitor layer is placed onto the stack such that the stack is continually in compression, as suggested by the Office Action. In contrast, Hahne merely states that the device can press a stack. It appears the stack is formed and then placed into the device so it can be blocked. It does not appear to hold the stack in continual compression as the stack is being stacked. Moreover, none of the cited references include a placement member that holds down each capacitor layer as each capacitor layer is placed onto the stack such that the stack is continually in compression. As discussed, Farahmandi discusses a device to jet spray metal. It does not hold down each capacitor layer as each capacitor layer is placed onto the stack.

Moreover, there is no motivation to combine the cited references since they are from different fields. As noted above, Hahne is directed to a device to block a stack of object such as newspapers and magazines. One skilled in the art would not look to Hahne to solve problems in the capacitor field.

Claims 7 and 10 depend from claim 6 and are therefore also not obvious in view of the cited references. Reconsideration and allowance is respectfully requested.

Claims 11-16, 18, and 20

Applicant traverses the rejection of claim 11 since, even if combined, the combination does not include each limitation recited in the claim. For instance, Applicant cannot find in the combination a placement member for placing each of a plurality of capacitor layers onto the stack, or an upper member adapted to move while the placement member holds down each capacitor layer as each capacitor layer is placed onto the stack such that the stack is continually held down by either the upper member or the placement member until each of the plurality of capacitor layers is placed.

As discussed above, the Office Action states that Farahmandi discloses a placement member for placing capacitor layers. Applicant traverses. In Figure 8c Farahmandi discusses a device to jet spray metal onto a carbon cloth (Col. 18, lines 34-35). This is not a placement member for placing each of a plurality of capacitor layers onto a stack.

Moreover, Hahne does not appear to discuss an upper member adapted to move while the placement member holds down each capacitor layer as each capacitor layer is placed onto the stack such that the stack is continually held down by either the upper member or the placement member until each of the plurality of capacitor layers is placed, as suggested by the Office Action. Hahne merely states that the device can press a stack. It appears the stack is formed and then placed into the device so it can be blocked. Also, none of the references include a placement member that holds down each capacitor layer as each capacitor layer is placed onto the stack such that the stack is continually held down by either the upper member or the placement member until each of the plurality of capacitor layers is placed. As noted above, the placement member of Farahmandi is a device to jet spray metal. It does not appear to hold down each capacitor layer as each capacitor layer is placed onto the stack.

Moreover, there is no motivation in the art to combine these references since they are from different fields. Hahne is discussing a device to block a stack of object such as newspapers and magazines. One skilled in the art would not look to Hahne to solve problems in the capacitor field.

Claims 12-16, 18, and 20 depend from claim 11 and are therefore also not obvious in view of the cited references. Reconsideration and allowance is respectfully requested.

*Allowable Subject Matter*

Claims 5, 9 and 17 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten claims 5, 9, and 17 as new claims 21, 24, and 27, respectively.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

ALEXANDER G. BARR ET AL.

By their Representatives,

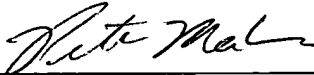
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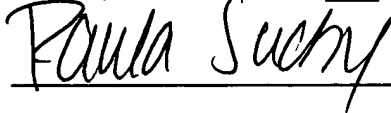
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By 

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8 day of March, 2005.



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